

Remarks

Upon entry of this amendment claims **1-6, 9, 11-13, 15 and 18-23** are pending. Claims **7-8, 10, 14, and 16-17** were previously cancelled.

Claims **2, 6, 15, 18 and 20** are amended herein. Support for the amendments can be found throughout the specification.

No new matter has been added.

Restriction under 35 USC §121 and 372

Invention Group Election

The Office has required restriction under 35 USC §121. In issuing such a requirement, the Office acknowledges that the invention groups define independent and patentably distinct inventions.

The Office has defined the following invention groups:

Group I, comprising claims **1** and **5**, which the Office characterizes as drawn to an isolated complex comprising one or both of complement activation product C5 (*sic*);

Group II, comprising claims **2, 6, 18, 21** and **23**, which the Office characterizes as drawn in part to a method for inhibiting the formation of a non-covalent combination of membrane attack complex and circulating immune complex comprising application of an inhibitor in patients suffering from complement and circulating immune complex mediated diseases wherein said inhibitor is a monoclonal antibody;

Group III, comprising claims **2, 6, 18, 21** and **23**, which the Office characterizes as drawn in part to a method for inhibiting the formation of a non-covalent combination of membrane attack complex and circulating immune complex comprising application of an inhibitor in patients suffering from complement and circulating immune complex mediated diseases wherein said inhibitor is a peptide mimotope;

Group IV, comprising claims **2, 6, 18, 21** and **23**, which the Office characterizes as drawn in part to a method for inhibiting the formation of a non-covalent combination of membrane attack complex and circulating immune complex comprising application of an inhibitor in patients suffering from complement and

circulating immune complex mediated diseases wherein said inhibitor is a small molecule;

Group V, comprising claims 3 and 13, which the Office characterizes as drawn to a method for screening candidate compositions or processes for an ability for inhibiting the formation of membrane attack complex on circulating immune complex comprising assessing the composition or process for the reduction in membrane attack complex associated with circulating immune complex;

Group VI, comprising claims 4 and 22, which the Office characterizes as drawn to a method of monitoring the formation of membrane attack complex and other split products of C5 on circulating immune complex comprising measuring the formation of said products and assessing for symptoms of said disease;

Group VII, comprising claims 9, 11 and 19, which the Office characterizes as drawn to a process for quantitative measurement for the presence of complement C5 and C5b-9 associated with circulating immune complex;

Group VIII, comprising claim 12, which the Office characterizes as drawn to a process for quantitation of immunoglobulin isotype composition of circulating immune complex comprising using and ELISA based on receptor based capture mechanism;

Group IX, comprising claim 15, which the Office characterizes as drawn to a process for screening a composition that targets blocking of complement activation and modulating the binding of serum acute phase proteins bound to circulating immune complex.

Applicant herein elects, without traverse, the claims of **Group II** for further examination. Applicant thanks the Examiner for pointing out that claim 20 was dependent from a cancelled claim, and has corrected its dependence so that the claim depends on claim 18. As such, Applicant believes that claim 20 should also be included in Group II.

Species election

The Office required election of a specific complex if Group I claims were elected. Applicant has elected Group II claims, therefore no species election is required.

Conclusion

Applicant believes that the claims as currently presented are in a condition for allowance and such favorable action is respectfully requested. Please contact the undersigned with any questions. Applicant is paying via EFS-Web the fee for a one-month extension of time. The Commissioner is hereby authorized to charge any additional applicable fees to Deposit Account No. 19-3140.

Respectfully submitted,

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